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## *Via Electronic Case Filing Only*

April 3, 2023

USDJ Joan M. Azrack  
United States District Court  
Eastern District of New York  
Long Island Courthouse  
100 Federal Plaza  
Central Islip, NY 11722

**Re:** Request to Amend Caption and Withdrawal of Order to Show Cause;  
Docket No. 2:23-cv-01339-JMA-SIL Coste, Jr. v. Town Of Islip et al

Dear Honorable Judge Azrack

I write on behalf of the Plaintiffs in regards to the Amended Complaint filed earlier this morning. After successive attempts, no less than three (3) attempts, to meet and confer with the named Defendants, Plaintiffs filed an Amended Complaint. Based upon facts contained in an affidavit received from the Defendants' representative that was not previously known to the Plaintiffs, Plaintiffs acknowledge the Federal Aviation Agency (FAA) is necessary party and seek to amend the caption to allow Plaintiffs to serve a summons upon the FAA as a party to this action.

I withdraw the previously submitted Order to Show Cause and motion, without prejudice, so that Plaintiffs may file a new Order to Show Cause directed to the Amended Complaint and the new sworn testimony as provided by the Defendants in opposition to the original Order to Show Cause.

Accordingly, unless the Court states otherwise, Plaintiffs will not file anything further on the original Order to Show Cause motion that is now withdrawn. We thank the Court for its kind consideration.

Respectfully Submitted,



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